IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 1218 of 2007-B

SC.961/2006 of ADDL. SESSIONS JUDGE, FAST TRACK(ADHOC) NO.II,, TRIVANDRUM

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PETITIONER/ACCUSED

JAINULLAVUDEEN MOHAMMED MUSTAFA,
20,SOUTH STREET, THONDI,
THIRUVADANAI, RAMANAD DISTRICT,
TAMIL NADU.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

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1. STATE OF KERALA ,REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUPERINTENDENT OF CUSTOMS, AIR INTELLIGENCE UNIT, AIR CUSTOMS, INTERNATIONAL AIRPORT, THIRUVANANTHAPURAM REPRESENTED BY THE ADDL.SOLICITOR GENERAL OF INDIA FOR KERALA, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR MR. S.U. NAZAR
SRI.JOHN VARGHESE, ASSISTANT SG

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

B.A.NO. 1218 OF 2007

DATED THIS THE 24TH DAY OF APRIL 2007

ORDER

This is a petition filed under Section 439 of the Code of Criminal Procedure. The petitioner is the accused in S.T.No.961/2006 in the file of the Additional Sessions Judge Fast Track (Adhoc-II)Thiruvananthapuram with respect to the offence under Sections 21 and 23 of the N.D.PS.Act and Section 135 of the Customs Act,1962. The accused is in custody since 20-12-2005. It is seen that the chemical qualitative analysis test of the contraband has not been received.

2. Public Prosecutor opposed the application.

3. In the circumstances and considering the fact that the accused is undergoing pre-trial detention so far, the petitioner shall be released on bail on executing bond for Rs.25,000/-(Rupees twenty five thousand) with two solvent sureties each for the like sum to the satisfaction of the court below. He shall not in any manner interfere with the investigation. The petitioner is directed that he shall report before the Investigating Officer on every Friday at 10.a.m. until the final report is filed. The Bail application is allowed.

K.R.UDAYABHANU

ks. **JUDGE.**

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